

### **REMARKS/ARGUMENTS**

The present Amendment is in response to the Official Action of 10 September 2003, in which Claim 1 was rejected. The Applicant has thoroughly reviewed the outstanding Official Action, including the Examiner's remarks and the reference cited therein. The following remarks are believed to be fully responsive to that Official Action and, when considered in light of the above amendment, are believed to clarify and distinguish the inventive concept of the present subject Patent Application system.

The Applicant by this Amendment has added a limitation to Claim 1 that is believed to more clearly define and describe the subject matter of the present subject Patent Application system. The Applicant by the undersigned attorney submits a new Amendment to the Claim, providing for the further limitation that the space formed in the soft shell of the lighting bulb assembly will have defined in its lower aspect a substantially cylindrical cavity or chamber so as to accommodate a similarly shaped bulb. This is well illustrated in Figure 2 and, as such, does not represent an introduction of any new material into the present subject Patent Application.

The Examiner has rejected Claim 1 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent # 3,233,093. This referenced Patent is directed to a

processional candle, a battery-operated device with circuitry that causes the light source to emit a flickering illumination thereby imitating a true candle. In setting forth this rejection, the Examiner concluded that because the bulb-covering plastic hood 30 disclosed by the reference is formed with a bottom opening, it “must” be both removable and formed of soft material.

As newly-amended Claim 1 now more clearly recites, Applicant’s soft shell for a lighting bulb assembly is on which is readily “removable” from the lighting bulb assembly. The soft shell accordingly includes among its features a “soft shell body” whose “opening ... receiv[es] a light bulb,” wherein the opening is formed with “a substantially cylindrical inner surface portion adapted for contiguous contact with a corresponding portion of the light bulb,” as newly-amended Claim 1 further clarifies. The soft shell is thus configured to readily slip on and off the given light bulb.

These and other features now more clearly recited by Applicant’s pending Claim are nowhere disclosed by the cited references. The reference’s plastic hood 30 (which the Examiner correlated to Applicant’s soft shell) forms a laminate-like cover which fully envelops and conforms intimately to almost the entire bulbous body of the light bulb 29. The plastic hood’s inner contour follows the bulb’s bulbous contour and converges to a small constrictive opening at its bottom. This teaches rather clearly away in structure from an “opening having extending therefrom a substantially cylindrical inner surface portion adaptive for contiguous

contact with a corresponding portion of the light bulb,” as newly-amended independent Claim 1 now more clearly recites.

Note that in any event, the reference’s plastic hood 30 is simply not “removable,” neither in the degree nor the manner that Applicant’s soft shell is. While the Examiner reasoned that the opening may conceivably be stretched widely enough to permit the plastic hood’s possible removal from the light bulb 29, the reference nowhere even suggests such removability, not even remotely. It is telling in this regard that the undersized, constrictive configuration prescribed for the hood’s bottom opening strongly suggests quite the contrary. Given the typical fragility of an incandescent light bulb’s glass, one is likely to accomplish nothing more than breaking the light bulb glass itself upon straining to exert the considerable force invariably required to stretch this plastic hood’s constrictive opening out, up and fully over the delicate glass bulb. The reference would hardly permit, much less suggest, such a potentially hazardous manipulation of components.

It is respectfully submitted, therefore, that the cited reference, #3,233,093, fails to disclose the unique combination of elements now more clearly recited by Applicant’s pending Claim for the purposes and objectives disclosed in the subject Patent Application.

MR1197-501  
Serial Number: 10/020,180  
Amendment dated 24 November 2003  
Reply to Office Action dated 10 September 2003

In view of the foregoing Amendment and Remarks, it is believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

Respectfully submitted,



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Date: 25 November 2003

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